



PERSONNEL AND
READINESS

UNDER SECRETARY OF DEFENSE

4000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-4000

FEB 27 2023

The Honorable Mike D. Rogers
Chairman
Committee on Armed Services
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

Thank you for your February 8, 2023 letter to the Secretary of Defense regarding coronavirus disease 2019 (COVID-19) vaccine requirements for Department of Defense (DoD) personnel. I am providing additional information on his behalf.

I appreciate your concern regarding implementation of the rescission of the COVID-19 vaccination mandate as required by section 525 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023. Per Secretary of Defense Memorandum, "Rescission of the August 24, 2021 and November 30, 2021 Coronavirus Disease 2019 Vaccination Requirements for Members of the Armed Forces," January 10, 2023 (January 10, 2023 memorandum), all DoD policies, directives, and guidance implementing the Secretary's August 24, 2021 and November 30, 2021 vaccination mandate are no longer in effect.

On February 24, 2023, the Deputy Secretary of Defense released additional guidance on the implementation of the Secretary's memorandum rescinding the COVID-19 vaccination mandate (enclosed). This guidance directed that DoD Component heads formally rescind any policies, directives, or guidance (collectively "policies") related to the COVID-19 vaccination mandate if the policies had not yet been rescinded, noting that they have not been operative since the issuance of the January 10, 2023 memorandum.

Please find additional information below regarding the Department's efforts in this regard.

Status of Mandate:

- The mandate for Service members to be vaccinated against COVID-19 has been rescinded. This includes, but is not limited to, rescission of any COVID-19 vaccination requirements or related theater entry requirements and any limitations on deployability of Service members who are not vaccinated against COVID-19.
- The rescission of the mandate applies to all Service members.
- There are no COVID-19 vaccination requirements for new accessions (enlisted or officer candidates).

- No Military Service Academy requires a COVID-19 vaccination for a diploma or commission.
- There are no occupations in the Department that require COVID-19 vaccination at this time.

Implementation:

- The Military Departments are responsible for the implementation of the rescission.

Data (as of January 10, 2023):

- Approximately 2,000,000 Service members serve in the Active, Reserve, and Guard Components (collectively “Service members”).
- Approximately 69,000 Service members did not receive the COVID-19 vaccination.
- Approximately 53,000 Service members sought a medical or administrative (including religious) exemption or accommodation.
 - Of those approximately 53,000, approximately 37,000 requested a religious accommodation.
 - Approximately 19,100 religious accommodation requests were denied.
 - Approximately 400 religious accommodation requests were approved.
 - The remainder were pending adjudication.
- Approximately 8,100 Service members were separated for failing to comply with COVID-19 vaccination requirements.
- As of November 2022, 46 percent of Service member separations were characterized as honorable and 54 percent were characterized as general, under honorable conditions.

Recoupment:

- By law, and with certain exceptions, a Service member who is paid a bonus, incentive pay, or similar benefit and fails to satisfy the conditions for receipt of the bonus, such as completing a term of additional obligated service, must repay to the United States the amount of any unearned portion of the bonus.

- The Military Departments recouped unearned payments from Service members who were separated from their Military Service for any reason prior to completion of their obligations, including for refusing a lawful order to take the COVID-19 vaccine.
- Service members and veterans may apply at any time to the appropriate Discharge Review Board or Board for Correction of Military/Naval Records should they believe an action requires correction and/or redress.

Back Pay:

- As a matter of policy, the Department is not providing back pay or credit to Service members or veterans who did not comply with COVID-19 vaccination requirements.

Unvaccinated Service members:

- No Service members currently serving will be separated based solely on their refusal to receive the COVID-19 vaccination if they sought an accommodation based on religious, administrative, or medical grounds.
- The Military Services will update the records of such individuals to remove any adverse actions solely associated with denials of such requests, including letters of reprimand.
- Appropriate officials within the Military Services continue to review cases on an individual basis to determine appropriate action for Service members who did not submit an exemption or accommodation request, remained unvaccinated, and refused a lawful order to take the vaccine.

Re-instatement:

- Should former Service members desire to return to service, they may follow the standard accession policies and process of their respective Military Service.

Requests for Accommodation:

- Secretary Austin directed the Secretaries of the Military Departments to cease any ongoing reviews of current Service member religious, administrative, or medical accommodation or exemption requests related solely to the COVID-19 vaccination requirement or appeals of denials of such requests.
- The COVID-19 vaccine is no longer required by the DoD. Therefore, each Military Service will return religious, administrative, or medical accommodation or exemption requests related solely to the COVID-19 vaccination to each requesting Service member in their current state without action.

Civilian Travel:

- DoD personnel on official travel follow all applicable Federal, State, local, and commercial air carrier requirements, as well as applicable host nation requirements to respect host nation law.

Thank you for your continued strong support for our Service members. I am sending a similar letter to Representative Banks.

Sincerely,

A handwritten signature in black ink, appearing to read "Gilbert R. Cisneros, Jr.", with a stylized flourish at the end.

Gilbert R. Cisneros, Jr.

cc:

The Honorable Adam Smith
Ranking Member

Enclosure:

As stated



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READINESS

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WASHINGTON, D.C. 20301-4000

FEB 27 2023

The Honorable Jim Banks
Chairman
Subcommittee on Military Personnel
Committee on Armed Services
U.S. House of Representatives
Washington, DC 20515

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Gilbert R. Cisneros, Jr.

cc:

The Honorable Andy Kim
Ranking Member

Enclosure:
As stated



DEPUTY SECRETARY OF DEFENSE
1010 DEFENSE PENTAGON
WASHINGTON, DC 20301-1010

FEB 24 2023

MEMORANDUM FOR SENIOR PENTAGON LEADERSHIP
COMMANDERS OF THE COMBATANT COMMANDS
DEFENSE AGENCY AND DOD FIELD ACTIVITY DIRECTORS

SUBJECT: Guidance for Implementing Rescission of August 24, 2021 and November 30, 2021
Coronavirus Disease 2019 Vaccination Requirements for Members of the Armed
Forces

In today's rapidly changing global security environment, vaccines continue to play a critical role in assuring a ready and capable force that is able to rapidly deploy anywhere in the world on short notice. Department leadership is committed to ensuring the safety of our Service members and will continue to promote and encourage vaccinations for all Service members along with continued use of other effective mitigation measures. This includes monitoring changing public health conditions, relevant data, and geographic risks; and updating policies and processes as required to maintain the strategic readiness of our forces and our ability to defend national security interests around the globe.

This memorandum provides additional guidance to ensure uniform implementation of Secretary of Defense Memorandum, "Rescission of the August 24, 2021 and November 30, 2021 Coronavirus Disease 2019 Vaccination Requirements for Members of the Armed Forces," January 10, 2023 (January 10, 2023 memorandum).

As required by section 525 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023, the January 10, 2023 memorandum rescinded the August 24, 2021 and November 30, 2021 Secretary of Defense mandates that members of the Armed Forces be vaccinated against the coronavirus disease 2019 (COVID-19) and thereby also rendered all DoD Component policies, directives, and guidance implementing those vaccination mandates as no longer in effect as of January 10, 2023. These include, but are not limited to, any COVID-19 vaccination requirements or related theater entry requirements and any limitations on deployability of Service members who are not vaccinated against COVID-19.

DoD Component policies, directives, and guidance have not been operative since the January 10, 2023 memorandum was issued, regardless of the status of the DoD Component conforming guidance. DoD Component heads shall formally rescind any such policies, directives, and guidance as soon as possible, if they have not done so already. DoD Component heads shall certify to the Under Secretary of Defense for Personnel and Readiness in writing that these actions have been completed no later than March 17, 2023.

The January 10, 2023 memorandum recognizes that other standing Departmental policies, procedures, and processes regarding immunizations remain in effect, including the ability of commanders to consider, as appropriate, the individual immunization status of personnel in making deployment, assignment, and other operational decisions, such as when vaccination is



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required for travel to, or entry into, a foreign nation. This continues to be the case, in accordance with the guidance below.

The Department's Foreign Clearance Guide will be updated to reflect that DoD personnel must continue to respect any applicable foreign nation vaccination entry requirements, including those for COVID-19. Other than to comply with DoD Foreign Clearance Guidance, DoD Component heads and commanders will not require a Service member or group of Service members to be vaccinated against COVID-19, nor consider a Service member's COVID-19 immunization status in making deployment, assignment, and other operational decisions, absent establishment of a new immunization requirement in accordance with the process described below. It is my expectation that any requests to the Assistant Secretary of Defense for Health Affairs (ASD(HA)) for approval to initiate mandatory immunizations of personnel against COVID-19 will be made judiciously and only when justified by compelling operational needs and will be as narrowly tailored as possible.

Department of Defense Instruction (DoDI) 6205.02, "DoD Immunization Program," July 23, 2019, will be updated as follows to establish a process requiring the Secretary of a Military Department, the Director of a Defense Agency or DoD Field Activity that operates medical clinics, or the Commandant of the Coast Guard, to submit a request for approval to initiate, modify, or terminate mandatory immunizations of personnel. Effective immediately, I direct the following action:

Paragraph 2.11. of DoDI 6205.02 is revised by adding a new subsection g., which will read:

"Submit requests to the ASD(HA) for approval to initiate, modify, or terminate mandatory immunizations of personnel and voluntary immunizations of other eligible beneficiaries determined to be at risk from the effects of deliberately released biological agents or naturally occurring infectious diseases of military or national importance."

The Commander of a Combatant Command must submit a request for approval to initiate, modify, or terminate mandatory immunizations of personnel through the Joint Staff, consistent with existing processes specified in DoDI 6205.02.

The Director of Administration and Management will make the revision directed above as a conforming change to the version of DoDI 6205.02 published on the DoD Issuances website.

A handwritten signature in dark ink, appearing to read "Kathleen H. H.", is centered below the text. The signature is fluid and cursive, with a large initial 'K' and a stylized 'H'.